

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Samuel Ross	Team: Squad #1	CCRB Case #: 201605136	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 06/14/2016 4:45 PM	Location of Incident: § 87(2)(b)	Precinct: 110	18 Mo. SOL 12/14/2017	EO SOL 12/14/2017	
Date/Time CV Reported Tue, 06/14/2016 5:17 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 06/14/2016 5:17 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Anthony Jones	17923	944684	110 PCT
2. POM Michael Carrieri	31971	930412	110 PCT
3. POM Zul Chowdhury	01371	948780	110 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Anthony Jones	Discourtesy: Police Officer Anthony Jones spoke discourteously to § 87(2)(b) § 87(2)(b)	§ 87(2)(b)
B.POM Anthony Jones	Discourtesy: Police Officer Anthony Jones spoke discourteously to § 87(2)(b) § 87(2)(b)	§ 87(2)(b)
C.POM Anthony Jones	Abuse: Police Officer Anthony Jones threatened § 87(2)(b) § 87(2)(b) with the use of force.	§ 87(2)(b)
D.POM Michael Carrieri	Abuse: Police Officer Michael Carrieri threatened § 87(2)(b) § 87(2)(b) with the use of force.	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

## Case Summary

§ 87(2)(b) § 87(2)(b) his acquaintances § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) and § 87(2)(b) § 87(2)(b) a private investigator hired by § 87(2)(b) filed this complaint via telephone on June 14, 2016.

At approximately 4:45 PM on June 14, 2016, § 87(2)(b) § 87(2)(b) and § 87(2)(b) were standing at the intersection of § 87(2)(b) in Queens, near § 87(2)(b) § 87(2)(b)'s vehicle, which was parked facing against traffic. PO Anthony Jones, PO Michael Carrieri, and PO Zul Chowdhury of the 110<sup>th</sup> Precinct Anti-Crime team approached them.

PO Jones and PO Carrieri were previously familiar with § 87(2)(b) and he with them. Both officers believed § 87(2)(b) to be a gang member and to be involved in criminal activity. Both officers were present when another member of the 110<sup>th</sup> Precinct Anti-Crime team arrested § 87(2)(b) on April 5, 2016. PO Carrieri had arrested § 87(2)(b) on May 26, 2016. § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

On June 14, 2016, when PO Jones, PO Carrieri, and PO Chowdhury approached § 87(2)(b) § 87(2)(b) and § 87(2)(b) PO Jones allegedly said to § 87(2)(b) “You’re a fucking snitch” (**Allegation A**). PO Jones then allegedly told § 87(2)(b) to pick up his hands so that he could “fuck § 87(2)(b) up” (**Allegations B and C**). PO Carrieri allegedly added that if § 87(2)(b) were to lift his hands, the officers would have authority to use force against him (**Allegation D**). PO Jones repeated that he was going to “fuck § 87(2)(b) up” (also **Allegations B and C**). PO Carrieri, meanwhile, told § 87(2)(b) again to raise his hands (also **Allegation D**). PO Jones then said that he was not going to lose his job for a “fucking little kid” (also **Allegation A**).

While PO Jones and PO Carrieri spoke to § 87(2)(b) § 87(2)(b) used his cell phone to call § 87(2)(b) § 87(2)(b) over the phone, heard PO Jones – whose voice he recognized from a previous encounter at the 110<sup>th</sup> Precinct stationhouse – say, “Get off the fucking phone” (also **Allegation A**) and, “I’m gonna fuck you up Brooklyn style” (also **Allegations B and C**). The phone call was terminated shortly afterward.

§ 87(2)(b) walked away from the officers to the opposite side of the street, where he recorded a brief video of the officers speaking with § 87(2)(b) and § 87(2)(b) This video did not capture any FADO allegations. The officers subsequently departed from the scene. They did not make any arrest or issue any summons.

## Mediation, Civil and Criminal Histories

- This case was deemed unsuitable for mediation because of an IAB referral regarding § 87(2)(b) and § 87(2)(b)'s allegations of ongoing harassment by members of the 110<sup>th</sup> Precinct Anti-Crime team (CCRB case #201605188).

- On September 23, 2016 the Office of the Comptroller informed the undersigned that no notice of claim has been filed in regards to this incident.
- § 87(2)(b) has never been convicted of a crime.

### **Civilian and Officer CCRB Histories**

- § 87(2)(b)  
§ 87(2)(b)  
§ 87(2)(b)  
§ 87(2)(b)  
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§ 87(2)(b)
- PO Jones, who has been a member of the NYPD for nine years, has been a subject in one other CCRB case: #201606271, which is currently open. PO Jones' CCRB history does not reveal any relevant pattern.
- PO Carrieri, who has been a member of the NYPD for thirteen years, has been a subject in six other CCRB cases. In CCRB case #201501713 it was alleged that PO Carrieri searched a vehicle, and that allegation was substantiated. As noted above, PO Carrieri is a subject in CCRB Case #201604752, which also involves § 87(2)(b) and is currently open. PO Carrieri's CCRB history does not otherwise reveal any relevant pattern.

### **Potential Issues**

- § 87(2)(b) provided contact information when § 87(2)(b) and § 87(2)(b) initially filed the complaint via telephone. On June 15, 2016, the undersigned reached § 87(2)(b) by phone. He confirmed his contact information and provided a phone statement (Board Review 02) but was unable to schedule an interview appointment. Subsequently, the undersigned provided § 87(2)(b) with contact information via email. On June 20, 2016, the undersigned reached § 87(2)(b) by telephone; § 87(2)(b) terminated the call. The same day, a voicemail message was left. Also on June 20, 2016, a letter and an email were sent. On June 22, 2016, the undersigned attempted to contact § 87(2)(b) by phone. § 87(2)(b) Ronnie § 87(2)(b) § 87(2)(b)'s brother, answered and stated that § 87(2)(b) was unavailable. On June 24, 2016, the undersigned attempted to contact § 87(2)(b) by phone, but there was no answer and the voicemail box was full; an SMS notification was sent. On June 27, 2016, the undersigned attempted to contact § 87(2)(b) by phone and left a voicemail message. A second letter and a second email were sent on June 27, 2016. BADS, CTS, and Cole's Directory searches performed June 27, 2016 confirmed § 87(2)(b)'s mailing address. Additionally, the CTS search provided two new phone numbers. On June 27, 2016 the undersigned reached § 87(2)(b) Cindy Saldana, an acquaintance of § 87(2)(b)'s, at one of these two numbers. § 87(2)(b) Saldana provided the phone number for § 87(2)(b) § 87(2)(b)'s girlfriend. On June 27, 2016 the undersigned reached § 87(2)(b) Sandhop by telephone. She confirmed § 87(2)(b)'s contact information and stated she would provide § 87(2)(b) with a message from the

undersigned. On June 29, 2016, the undersigned again attempted to contact § 87(2)(b) by telephone; the voicemail box was full and an SMS notification was sent. On June 29, 2016 the undersigned again reached § 87(2)(b) who stated that she had provided § 87(2)(b) with a message from the undersigned investigator. § 87(2)(b) Sandhop stated that § 87(2)(b) had received the undersigned investigator's email. She stated that she would again provide § 87(2)(b) with a message from the undersigned. On July 1, 2016 a third letter and email were sent to § 87(2)(b). As of the writing of this report § 87(2)(b) has not contacted the undersigned, and therefore the investigation was unable to obtain a verified statement from him.

- On June 15, 2016 the undersigned reached § 87(2)(b) by telephone. § 87(2)(b) confirmed his contact information and provided a phone statement (Board Review 03). However, § 87(2)(b) then missed interview appointments on June 21 and 23, 2016, and he did not call to cancel or reschedule. Therefore, the investigation was unable to obtain a verified statement from § 87(2)(b).

### **Findings and Recommendations**

#### **Allegations not pleaded**

- § 87(2)(b) alleged that an officer threatened to issue him a summons. However, because § 87(2)(b) did not provide a verified statement (as detailed above in *Potential Issues*), and because § 87(2)(b) who provided a verified statement, did not make any such allegation, no allegation is pleaded in regards.
- § 87(2)(b) alleged that the officers searched him and searched § 87(2)(b)'s vehicle, and that an officer threatened to issue a summons to § 87(2)(b). However, because § 87(2)(b) did not provide a verified statement (as detailed above in *Potential Issues*), and because § 87(2)(b) who provided a verified statement, did not make any such allegations, no allegations are pleaded in regards.
- PO Jones (Board Review 04), PO Carrieri (Board Review 05), and PO Chowdhury (Board Review 06) each stated that they initially approached § 87(2)(b)'s vehicle because it was parked facing in the wrong direction and then when § 87(2)(b) identified himself as the driver, they stopped him in order to confirm his ownership of the vehicle. However, neither § 87(2)(b) who provided a verified statement, nor § 87(2)(b) or § 87(2)(b) who did not, made any such allegation. Therefore, no allegation is pleaded in regards.

#### **Allegation A—Discourtesy: Police Officer Anthony Jones spoke discourteously to § 87(2)(b)**

§ 87(2)(b)

#### **Allegation B—Discourtesy: Police Officer Anthony Jones spoke discourteously to § 87(2)(b)**

§ 87(2)(b)

#### **Allegation C—Abuse of Authority: Police Officer Anthony Jones threatened § 87(2)(b) with the use of force.**

§ 87(2)(b) (Board Review 07) stated that he and § 87(2)(b) stood nearby § 87(2)(b)'s vehicle waiting for § 87(2)(b) to return from his cousin's nearby apartment when PO Jones, PO Carrieri, and PO Chowdhury arrived in an RMP. The officers exited and approached § 87(2)(b)

§ 87(2)(b) immediately recognized PO Jones and PO Carrieri, with whom he had previously interacted on numerous occasions, including on May 26, 2016, when PO Carrieri stopped and allegedly strip-searched § 87(2)(b) in public. § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

When PO Jones approached, he immediately said to § 87(2)(b) “You’re a fucking snitch. You’re snitching on PD.” PO Jones then told § 87(2)(b) to put his hands up so that he could “fuck § 87(2)(b) up.” PO Jones continued, saying that he was going to “fuck § 87(2)(b) up like in Brooklyn,” or “fuck § 87(2)(b) up like how we do in Brooklyn,” or some similar statement to the same effect. § 87(2)(b) did not verbally respond to PO Jones and did not lift his hands. § 87(2)(b) stood still and looked away from PO Jones. PO Jones said he was not going to lose his job for a “fucking little kid.” At some point while PO Jones spoke to § 87(2)(b), § 87(2)(b) arrived. § 87(2)(b) and § 87(2)(b) stood nearby, observing the interaction.

While PO Jones spoke to § 87(2)(b), § 87(2)(b) used his phone to dial the phone number of § 87(2)(b), § 87(2)(b) a private investigator whose services he had retained approximately five or six months prior, and who was helping § 87(2)(b) to dispute criminal charges he was facing. § 87(2)(b) did not speak to § 87(2)(b) on the phone at first. He held the phone at his side so that § 87(2)(b) would be able to hear the interaction.

While PO Jones spoke, § 87(2)(b) remained quiet. When PO Jones stopped speaking, § 87(2)(b) asked why he was being stopped. The officers did not respond, and § 87(2)(b) asked if he was free to leave. PO Jones said that he was, so § 87(2)(b) walked away from the officers and crossed the street. The phone call to § 87(2)(b) was still connected, and § 87(2)(b) spoke to § 87(2)(b). § 87(2)(b) told § 87(2)(b) that PO Jones had approached and threatened him. § 87(2)(b) told § 87(2)(b) to hang up the phone and begin recording a video immediately.

§ 87(2)(b) used his phone to record PO Jones, PO Carrieri, and PO Chowdhury standing across the street from him, speaking with § 87(2)(b) and § 87(2)(b).



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Video 1 (19 seconds)

§ 87(2)(b) was not able to hear what the officers, § 87(2)(b) and § 87(2)(b) discussed. § 87(2)(b) did not have any further interaction with the officers. The officers then reentered the RMP and drove away. They did not make any arrest or issue any summons.

§ 87(2)(b) (Board Review 08), who confirmed that § 87(2)(b) had hired him between five and six months earlier in order to help § 87(2)(b) build a case against criminal charges, stated that on the afternoon in question he received a phone call from § 87(2)(b)'s phone number. When § 87(2)(b)

answered the phone, he immediately heard a male voice yelling and cursing. He asked § 87(2)(b) what was taking place, and § 87(2)(b) explained that that the man yelling was PO Jones of the 110<sup>th</sup> Precinct. § 87(2)(b) recognized PO Jones' voice because he had previously heard PO Jones speak at the 110<sup>th</sup> Precinct stationhouse, during an unrelated incident involving § 87(2)(b) PO § 87(2)(b) heard PO Jones say, "Get off the fucking phone. I'm gonna do you Brooklyn style. I'm gonna fuck you up Brooklyn style. How dare you drop dime on PD?"

§ 87(2)(b) told § 87(2)(b) to stay calm, walk across the street, and attempt to film the officers. The phone call was then terminated. The entire phone call lasted approximately twenty seconds.

§ 87(2)(b) stated that when the officers approached, PO Jones told § 87(2)(b) to put up his hands because PO Jones wanted to fight him. PO Jones said that he would put his badge down so that he and § 87(2)(b) could fight. PO Jones also called § 87(2)(b) a snitch. § 87(2)(b) stated that an officer told § 87(2)(b) to put his hands up in order to fight, said that if § 87(2)(b) put his hands up the officers would be allowed to fight him, and said that he would take his badge off in order to fight § 87(2)(b).

PO Jones stated that after he and his partners collectively observed a vehicle parked facing the wrong way, against traffic, on Denman Street, the officers approached in order to make sure no other criminal activity was taking place. An unidentified male was standing on the sidewalk leaning into the vehicle, and PO Jones could not see who this male was. As the officers approached, the male removed his head from inside of the vehicle, revealing himself to be § 87(2)(b) § 87(2)(b).

As noted above, PO Jones was previously familiar with § 87(2)(b) from several previous arrests and because he knew § 87(2)(b) to be a member of Always Banging Kings, a gang active in the 110<sup>th</sup> Precinct. Additionally, in May of 2016, § 87(2)(b) alleged that PO Carrier pulled down his pants in public, when PO Jones and his sergeant were present. § 87(2)(b)

§ 87(2)(b) PO Jones was on vacation from June 7, 2016 until June 11, 2016, and was again RDO on June 12 and 13, 2016. As such, he was not working when this new story was published, on June 8, 2016. PO Jones learned about the news story at some point on June 14, 2016, but he did was not certain whether he learned about it before or after this incident.

As soon as § 87(2)(b) saw the officers he began to yell that they were harassing him. PO Jones asked § 87(2)(b) if the vehicle in question was his and he said that it was not. PO Jones said, "Then we're not talking to you." Another male then approached from nearby. PO Jones had seen this individual before but he did not know the individual's name. Additionally, there may have been a third individual with the second individual, but PO Jones was not certain. When the second individual approached, § 87(2)(b) told him to record a video, but the individual declined to do so. This second individual identified himself as the owner of the vehicle. § 87(2)(b) then interjected, claiming that the officers were harassing him. § 87(2)(b) also said that he was going to sue the officers, win a large sum of money, and "have" the job of PO Sanchez (another member of the 110<sup>th</sup> Anti-Crime team with whom § 87(2)(b) had previously interacted, but who was not involved in the May 26, 2016 incident). PO Jones did not remember if § 87(2)(b) made any specific reference to the May 2016 incident or to the news story regarding that incident. § 87(2)(b)

might have made reference to that incident or the news story but PO Jones was not certain. § 87(2)(b) was speaking angrily to the officers, but PO Jones did not recall if § 87(2)(b) ever made any physical threats toward any officers. PO Jones asked § 87(2)(b) rhetorically, “Is this your car?” and then told § 87(2)(b) that no one was speaking to him. He said to § 87(2)(b) “Get out of my face.” PO Jones told § 87(2)(b) to leave because § 87(2)(b) was not stopped and could have departed at any point. PO Jones did not remember if § 87(2)(b) made a phone call before this point of the interaction. § 87(2)(b) then walked away across the street. When § 87(2)(b) went across the street he held up his cell phone as if he was recording the officers, and then he appeared to make a phone call. PO Jones did not hear what § 87(2)(b) said on the phone.

PO Jones then continued speaking with the vehicle’s owner about the vehicle. The owner provided his license and registration and PO Jones confirmed that the vehicle was registered in his name. PO Jones returned the owner’s documents and warned and admonished the driver but did not issue any summons. PO Jones, PO Carrieri, and PO Chowdhury reentered the RMP and then departed from the scene.

According to PO Jones, he did not say to § 87(2)(b) “You’re a fucking snitch” and did not tell § 87(2)(b) he was a “snitch” at any point. PO Jones did not know if he told § 87(2)(b) to put his hands up to fight or if he made any similar statement. PO Jones was not sure if he referred to § 87(2)(b) as a “fucking little kid.” PO Jones did not say to § 87(2)(b) “Get off the fucking phone.” PO Jones did not know if he used profanity toward § 87(2)(b) but believed that it was possible. According to PO Jones, he “probably” told § 87(2)(b) that he would “fuck § 87(2)(b) up,” because § 87(2)(b) was threatening him and because he had told § 87(2)(b) to leave. However, PO Jones was not certain that he said this.

PO Carrieri confirmed that the officers collectively observed a vehicle parked facing the wrong way, into oncoming traffic, on § 87(2)(b). The officers exited the RMP and approached the vehicle. As they approached the vehicle, an individual approached them. PO Carrieri did not remember if this individual was alone or with anyone else. The individual said that he was the owner of the vehicle. PO Carrieri did not remember this individual’s name, although he had seen him before. PO Jones spoke with the vehicle’s owner about the vehicle, but PO Carrieri did not recall specifically what they each said. PO Carrieri believed that PO Jones asked the owner of the vehicle for documentation demonstrating his ownership of the vehicle.

§ 87(2)(b) then appeared. PO Carrieri was previously familiar with § 87(2)(b) as § 87(2)(b) was a known criminal, and had been arrested many times for drug-, weapon-, and burglary-related crimes. PO Carrieri and other members of the 110<sup>th</sup> Precinct Anti-Crime team had previously arrested § 87(2)(b). Additionally, § 87(2)(b) had previously alleged that on May 26, 2016 PO Carrieri pulled down § 87(2)(b)’s pants in public. Prior to this June 14, 2016 incident, PO Carrieri learned that § 87(2)(b) had been featured in a local news story, in which he alleged that PO Carrieri strip-searched him in public. After learning about the news story, PO Carrieri spoke with other officers about the news story, but did not know specifically if he discussed it with PO Jones. PO Carrieri did not know when or if PO Jones learned about the news story.

When § 87(2)(b) approached, he immediately protested the officers’ presence and the stop they were conducting. PO Carrieri believed that because § 87(2)(b) was not the owner of the vehicle he

was uninvolved in the investigation. PO Jones told § 87(2)(b) to leave because he was not involved in their investigation. Although § 87(2)(b) was free to leave at any time and was told so, he did not leave. PO Jones again told § 87(2)(b) to leave, and § 87(2)(b) then walked to the other side of the street. As he walked away, he said, “I’m gonna have your job” and, “I’m getting paid.” § 87(2)(b) then stood on the opposite side of the street holding a cell phone as if he was recording the officers. The officers had no further interaction with § 87(2)(b). PO Carrieri did not remember if § 87(2)(b) made a phone call at any point during this incident.

PO Carrieri did not remember if § 87(2)(b) discussed the May 26, 2016 incident with any of the officers, but when § 87(2)(b) said he would have the officers’ jobs and make money, PO Carrieri assumed that § 87(2)(b) was referring to the May 26, 2016 incident and was implying that he planned to sue the officers.

Eventually PO Jones obtained the vehicle owner’s paperwork and was satisfied that the vehicle was not stolen. After the investigation was complete, the officers returned to the RMP and departed.

PO Carrieri did not recall PO Jones saying to § 87(2)(b) “You’re a fucking snitch” or calling § 87(2)(b) a “snitch” at any point. PO Carrieri did not recall PO Jones saying that he would “fuck § 87(2)(b) up.” PO Carrieri did not recall PO Jones telling § 87(2)(b) to put his hands up to fight. PO Carrieri did not recall PO Jones saying that he was not going to lose his job for a “fucking little kid” or ever referring to § 87(2)(b) as a “little kid.” He did not recall PO Jones telling § 87(2)(b) to “Get off the fucking phone.” PO Carrieri did not recall PO Jones using any profanity toward § 87(2)(b) or ever threatening § 87(2)(b) with the use of force, either verbally or physically.

PO Chowdhury stated that when he, PO Carrieri and PO Jones approached § 87(2)(b)’s vehicle, there was an unidentified individual leaning into the vehicle. When the officers neared the vehicle the individual stepped away from it, revealing himself to be § 87(2)(b). Prior to this incident, PO Chowdhury was familiar with § 87(2)(b) but he did not recall specifically what sorts of interactions he had had with § 87(2)(b). PO Chowdhury’s fellow officers may have arrested § 87(2)(b) prior to this incident but PO Chowdhury was not certain. PO Chowdhury was not aware that § 87(2)(b) had previously alleged that in May of 2016, PO Carrieri pulled down § 87(2)(b)’s pants in public. PO Chowdhury also was not aware that prior to this incident, § 87(2)(b) had made a complaint about PO Carrieri via a local news source.

PO Jones asked § 87(2)(b) if the vehicle was his. § 87(2)(b) said that it was not and that it belonged to his friend. A second male, whom PO Chowdhury could not name, then approached and said that the vehicle was his. PO Jones asked this individual for his license and registration, which the individual provided. PO Jones looked at the documents and matched the name on license to that on the registration, thus clarifying that there was no issue regarding the ownership of the vehicle. At some point during this interaction § 87(2)(b) told the vehicle’s owner to record the officers, but the owner declined to do so. § 87(2)(b) asked if he was free to leave, and PO Jones said that he was. § 87(2)(b) then told PO Jones that he was going to make money off of PO Jones. PO Chowdhury did not know exactly what § 87(2)(b) meant by this. After being told he was free to leave, § 87(2)(b) walked away. As he did so, he appeared to film the officers with a cell phone. PO



Chowdhury did not know if § 87(2)(b) ever made a phone call during incident. PO Chowdhury did not recall § 87(2)(b) threatening any officer's job.

PO Jones warned and admonished the vehicle's owner, and the officers exercised their discretion not to issue him any summons. The officers returned to their RMP and departed from the location. The officers had no further interaction with § 87(2)(b) after their investigation regarding the ownership of the vehicle was complete. The entire interaction lasted approximately four minutes.

According to PO Chowdhury, there was no argument between PO Jones and § 87(2)(b). PO Chowdhury did not recall PO Jones ever being visibly upset with § 87(2)(b). PO Chowdhury did not recall PO Jones ever saying, "You're a fucking snitch" or calling § 87(2)(b) a "snitch." To PO Chowdhury's knowledge PO Jones did not tell § 87(2)(b) to put his hands up to fight, say he was going to "fuck § 87(2)(b) up," and did not say, "Get off the fucking phone." To PO Chowdhury's knowledge PO Jones never said he would not lose his job for a "fucking little kid." To PO Chowdhury's knowledge PO Jones never used any profanity toward § 87(2)(b) whatsoever or threatened § 87(2)(b) with the use of force, either verbally or physically.

*NYPD Patrol Guide Procedure 203-09* requires that officers be courteous and respectful to civilians (Board Review 09). Further, according to *Police Department v. Briscoe (September 2000)* (Board Review 10), an officer may not threaten a civilian with the use of force solely in order to intimidate and without any legitimate police purpose.

§ 87(2)(b), § 87(2)(g)  
[Redacted text block]

§ 87(2)(b), § 87(2)(g)  
[Redacted text block]

§ 87(2)(b), § 87(2)(g)  
[Redacted text block]

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

**Allegation D—Abuse of Authority: Police Officer Michael Carrieri threatened § 87(2)(b) with the use of force.**

§ 87(2)(b) § 87(2)(b) stated that PO Carrieri, standing behind PO Jones, said to § 87(2)(b) § 87(2)(b) that if § 87(2)(b) § 87(2)(b) put his hands up, the officers would have authority to use force against him. Thereafter, while PO Jones spoke to § 87(2)(b) § 87(2)(b) PO Carrieri repeatedly said to § 87(2)(b) § 87(2)(b) “Pick up your hands.” § 87(2)(b) § 87(2)(b) did not lift his hands up at any point.

§ 87(2)(b) § 87(2)(b) stated that in addition to hearing PO Jones yelling at § 87(2)(b) § 87(2)(b) he heard another male voice say, “If you put your hands up, we have the authority to kick your ass and hurt you.” § 87(2)(b) § 87(2)(b) was unfamiliar with this voice and could not identify it.

As noted above in the analysis of Allegations B and C, § 87(2)(b) § 87(2)(b) stated that an officer told § 87(2)(b) § 87(2)(b) to put his hands up in order to fight, said that if § 87(2)(b) § 87(2)(b) put his hands up the officers would be allowed to fight him, and said that he would take his badge off in order to fight § 87(2)(b) § 87(2)(b) § 87(2)(b) did not make any such allegation against any officer other than PO Jones.

PO Carrieri did not recall telling § 87(2)(b) § 87(2)(b) to put his hands up to fight or saying that if § 87(2)(b) § 87(2)(b) put his hands up the officers could use force against him. He did not recall threatening § 87(2)(b) § 87(2)(b) with the use of force in any manner whatsoever.

PO Chowdhury stated that to his knowledge PO Carrieri did not say that if § 87(2)(b) § 87(2)(b) put his hands up, then the officers would have authority to use force against him. Further, to PO Chowdhury’s knowledge PO Carrieri did not threaten § 87(2)(b) § 87(2)(b) with the use of force verbally or physically. PO Jones did not remember if PO Carrieri said that if § 87(2)(b) § 87(2)(b) put hands up, the officers could use force against him.

§ 87(2)(b), § 87(2)(g)

[illegible]